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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/645,958

08/22/2003

Philip Scanlan

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EXAMINER

VO, HUYEN X

ART UNIT

PAPER NUMBER

2626

MAIL DATE

DELIVERY MODE

09/26/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/645,958	Applicant(s) SCANLAN, PHILIP	
	Examiner HUYEN X. VO	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 121-124 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 121-124 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection in view of Hirai et al. (USPN 5974371), necessitated by claim amendment.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless – (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 121-124 are rejected under 35 U.S.C. 102(b) as being anticipated by Murata et al. (US 5987402).

4. Regarding claim 121, Murata et al. disclose a method of providing a translated foreign language communication to a recipient of a foreign language communication, the method comprising:

determining a preferred language of the recipient (*col. 14, lines 50-60*);

receiving a foreign language communication having a translation information segment (*col. 5, lines 60-65, the document and the "file descriptor"*), where the translation information segment comprises an address of a pre-existing translation of the foreign language communication in the preferred language of the recipient (*col. 6,*

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lines 33-60, the header includes all the embedded information such as time, date, language and other information);

automatically parsing the foreign language communication, without input from the recipient, to extract the translation information segment (*col. 6, lines 49-60, checking with the information stored in the header*); and

using the address to retrieve and provide the translated foreign language communication to the recipient (*step 306 in figure 4*).

Murata et al. fail to specifically disclose that the translation information segment comprises a Universal Resource Locator (URL) address. However, Hirai et al. teach that the translation information segment comprises a Universal Resource Locator (URL) address (*URLs in figure 3 or referring to col. 6, lines 1-9*).

Since Murata et al. and Hirai et al. are analogous art because they are from the same field of endeavor, namely language translation, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Murata et al. by incorporating the teaching of Hirai et al. in order to enable the translation system to access and retrieve the translated text quickly and efficiently.

5. Regarding claims 122-123, Murata et al. further disclose the method of claim 121, wherein an application that parses the foreign language communication comprises a web browser for web pages, an email program for email, or a word processor for text documents (*col. 5, lines 13-22*), wherein the foreign language communication comprises

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a plurality of translation information segments (*col. 6, lines 49-60, file descriptor containing a plurality of translation parameters*).

6. Regarding claim 124, Murata et al. fail to specifically disclose the method of claim 123, wherein each translation information segment in the plurality of translation information segments comprises parameters for translation of a portion of the foreign language communication. However, Hirai et al. further teach that each translation information segment in the plurality of translation information segments comprises parameters for translation of a portion of the foreign language communication (*col. 3, lines 3, lines 32-35; translate only portions of the source language that are not existed in the memory*).

Since Murata et al. and Hirai et al. are analogous art because they are from the same field of endeavor, namely language translation, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Murata et al. by incorporating the teaching of Hirai et al. in order to improve translation efficiency by initiating translation of only portions of the source language that are not existed in the memory.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUYEN X. VO whose telephone number is (571)272-7631. The examiner can normally be reached on M-F, 9-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Huyen X Vo/
Primary Examiner, Art Unit 2626

9/23/2008
